THE HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.2278 of 2006

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Dated: February 14, 2006

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Between:

T. Padmavathi Devi, W/o. SVK Sarma,
aged about 43 years, APHB Colony,
LIGI 394, Rajahmundry, E.G. District,
and seven others.

… Petitioners

And

Government of A.P. rep. by its Secretary,
Education Department, Secretariat
Buildings, Hyderabad, and four others.

… Respondents

Order:

The petitioners, eight in number, who are working as Secondary Grade Teachers in S.K.V.T (EM) High School, Danavaipet, Rajahmundry, have filed this writ petition questioning the proceedings of the District Educational Officer dated 28-11-2005 passed in proceedings Rc.No.112/A4/2005-II and the consequential order dated 29-11-2005.

2. In the proceedings dated 28-11-2005, consequent to the orders of the Government to rationalize the staff working in Government / Zilla Parishad / Mandal Praja Parishad / Municipal and Private Aided Schools, teams have been constituted to identify the requirement of posts, excess posts. In that process of rationalization, the fifth respondent who is working as Grade-II Telugu Pandit at L.H. School, Sakenetipalli, has now been posted to the fourth respondent school. It is the case of the petitioners that they are working in un-aided posts from the last several years and there are directions to consider for their regularization in the fourth respondent school, but in view of the impugned orders, whereby the fifth respondent has been allotted to the fourth respondent-school, their chances for regularization in the aided posts will become bleak.

3. So far, aided posts are concerned, it is for the Government and the Governmental authorities to ascertain the need and the surplus posts. Wherever in the schools there are excess posts, they can shift to another needy school. Admittedly, as the petitioners are working in
un-aided posts, even before regularization of their services, which they are rendering, they have no right to stall the proceedings of rationalization of posts, which are aided by the Government. With regard to rationalization is concerned, if at all anybody is aggrieved, it is the fourth respondent-school but not the petitioners, and therefore the petitioners who are individuals and whose services are also not regularized, cannot assail the validity of the impugned proceedings. Further, in the impugned proceedings, only one candidate, who is working as Grade-II Telugu Pandit, is posted. In that view of the matter, the case of the petitioner that if the fifth respondent is allotted to the fourth respondent-school, their chances for regularization in aided posts will become bleak, cannot be accepted.

4. The writ petition is devoid of merits and it is accordingly dismissed.

JUSTICE R. SUBHASH REDDY.

February 14, 2006

MRR